

Tuesday, July 15, 2014

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

PRESENT: Supervisors: Frank R. Mecham, Adam Hill, Caren Ray, Debbie Arnold and Chairperson Bruce S. Gibson

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON BRUCE S. GIBSON.

Supervisor Hill: requests a moment of silence for the passing of David Beaudin, a Senior Correctional Deputy from the Sheriff's Department.

Consent Agenda – Review and Approval:

1-16. This is the time set for consideration of the Consent Agenda

Chairperson Gibson: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 16 on the following vote is indicated for each item.

Motion by: Caren Ray

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)	x			
Mecham, Frank R. (Vice Chairperson)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Bid Opening:

1. Letter transmitting plans and specifications (Clerk’s File) for South Higuera Street Rehabilitation Project, San Luis Obispo County, for Board approval and advertisement for construction bids. Bid opening date set for August 14, 2014. District 3.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Administrative Office Items:

2. Request to approve the recommended response to the FY 2013-14 Grand Jury report titled “Kitchen Confidential: Do you know if your restaurant makes the grade?” and forward this response to the Presiding Judge of the Superior Court by August 4, 2014. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - General Services Agency Items:

3. Submittal of a resolution authorizing the application for and acceptance of a \$750,000 grant from the California Wildlife Conservation Board for the rehabilitation of the Cayucos Pier, in Cayucos, and request to authorize a corresponding budget adjustment in the amount of \$750,000 from unanticipated revenues to Fund Center 230- Capital Projects to rehabilitate Cayucos Pier. District 2.

Mr. Eric Greening: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-171, adopted.

Consent Agenda - Health Agency Items:

4. Request to approve the FY 2014-17 renewal agreement (Clerk's File) with the California Department of Public Health (CDPH) in the amount of \$181,055 to provide funding for the Childhood Lead Poisoning Prevention Program. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Human Resources Items:

5. Request to approve two side letters with the San Luis Obispo County Probation Peace Officers' Association (SLOCPPOA), Probation Unit (BU 31) and Probation Supervisory Unit (BU 32) to amend Article 13, Shift Differential, of the 2013-15 Memoranda of Understanding. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Library Items:

6. Request to accept a \$561,686 donation from the Morro Bay Friends of the Library and approve an associated budget adjustment transferring \$561,686 to the Morro Bay Library Renovation Project. District 2.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Planning & Building Items:

7. Submittal of a resolution approving the new classification and establishing the salary range of Building Division Supervisor, and amending the Position Allocation List (PAL) for Fund Center 142 – Planning and Building, by deleting 2.00 FTE Supervising Building Inspectors, 1.00 FTE Assistant Building Official, 1.00 Supervising Building Plans Examiner, and 1.00 FTE Supervising Planner and adding 5.00 FTE Building Division Supervisors. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-172, adopted.

8. Request to destroy County Planning and Building Department files that have been scanned consistent with Government Code Section 26205. All Districts.

The Board approves as recommended by the County Administrative Officer.

9. Request to approve Amendment #2 to the original contract with Pacific Municipal Consultants, to include a contract term limit of July 31, 2015 for Bob Jones Pathway Environmental Impact Report. District 3.

The Board approves as recommended by the County Administrative Officer.

10. Submittal of a resolution approving cooperation agreements with the cities of Arroyo Grande, Atascadero, Morro Bay, Paso Robles, Pismo Beach, and San Luis Obispo to continue eligibility for federal funds through the Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) programs for the Fiscal Years 2015-16 through 2017-18. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-173, adopted.

Consent Agenda - Public Works Items:

11. Submittal of a resolution vacating Thunder Canyon Road by summary vacation, and finding that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA), near the community of Cayucos. District 2.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-174, adopted.

12. Submittal of a resolution providing for a service charge credit/rebate for parkway facilities services in County Service Area No.1A (Galaxy Park, Tract 1898, Nipomo). District 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-175, adopted.

13. Submittal of a resolution authorizing execution of notice of completion and acceptance for the 2013 micro-surfacing of various roads in San Luis Obispo County. Districts 1, 2 and 3.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-176, adopted.

Consent Agenda Public Works - Board Sitting as Flood Control District:

14. Submittal of bid opening report for Removal and Replacement of the Security Fence at the Lopez Water Treatment Plant in Arroyo Grande, to award the subject contract to Spiess Construction Co., Inc., the lowest responsible bidder, in the amount of \$120,050. Districts 3 and 4.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Social Services Items:

15. Request to approve two renewal service contracts (Clerk's File) for Services Affirming Family Empowerment (SAFE) Family Advocates with: 1) Community Action Partnership of San Luis Obispo County, Inc. (CAPSLO) in the amount of \$62,575, and 2) Central Coast LINK (The LINK) in the amount of \$62,575 in Fiscal Year 2014-15. All Districts.

The Board approves as recommended by the County Administrative Officer.

16. Request to approve two renewal service contracts (Clerk's File) for Domestic Violence Services with: 1) RISE (Respect, Inspire, Support, Empower) of San Luis Obispo County and 2) Women's Shelter Program of San Luis Obispo County (WSP) for Fiscal Year 2014-15 in the amounts of \$100,000 and \$75,000 respectively. All Districts.

The Board approves as recommended by the County Administrative Officer.

Public Comment Period:

17. This is the time set for members of the public to address the Board on matters that are not scheduled on the agenda.

Ms. Becky Jorgeson - Hopes Village of San Luis Obispo: presents and discusses documentation regarding a request for the Board's support regarding land to build small homes.

Chairperson Gibson: congratulates Jim Erb - Auditor-Controller, Treasurer, Tax Collector, Public Administrator and his staff for a certificate of achievement award they received for excellence in financial reporting by the Government Finance Officers Association, with Mr. Erb briefly speaking to the report.

Mr. Ben DiFatta: speaks to the construction of the Los Osos Wastewater Project (LOWWP) and its impacts to the streets.

Ms. Donna Guild - The Friends of the Shell Beach Library President: thanks Supervisor Hill for his continued support to the Shell Beach Library.

Mr. Julie Tacker: addresses concerns regarding the upcoming Huckfest event in Oceano.

Ms. Linde Owen: comments on Ms. Jorgenson's request for support; an article in the San Jose Tribune regarding water limits; and addresses concerns regarding the LOWWP.

Mr. Richard Margetson: speaks to Chairperson Gibson's comments during a recent presentation recognizing Paavo Ogren.

Mr. Ken Carpenter: addresses issues regarding large corporations building local vineyards and their impacts to well water.

Ms. Jeannette Watson: addresses various concerns regarding the leaders in America.

Mr. Eric Greening: announces a meeting in Santa Maria by the Department of Oil, Gas and Geothermal Resources (DOGGER) regarding regulations on well stimulation and fracking; and two upcoming stakeholder meetings in Bakersfield regarding groundwater monitoring and oil train spill prevention.

Mr. Mike Broadhurst: comment on the last week's discussion regarding AB 2453 and the Paso Robles Groundwater Basin. **No action taken.**

Board Business:

- 18.** Thirty-day update on current drought conditions and related management actions for Board's review of the continuing need for the March 11, 2014 proclamation of local emergency pursuant to Government Code section 8630. All Districts.

Supervisor Hill: offers to work with Supervisor Mecham and the County Administrative Officer on a proposal for a public symposium on the current water issues, with Board Members responding.

Chairperson Gibson: opens the floor to public comment.

Mr. Eric Greening; Mr. Richard Margetson; Mr. Gary Kirkland; and Mr. Bill Pelfrey: speak.

The Board receives the thirty-day update on current drought conditions and related management actions establishing the need to continue the proclamation of local emergency due to drought conditions in San Luis Obispo County.

- 19.** Submittal of a report on the San Luis Obispo Syringe Exchange Program (SLOSEP). All Districts.

Chairperson Gibson: opens the floor to public comment.

Mr. Gary Kirkland: speaks.

The Board receives and files the Report on the San Luis Obispo Syringe Exchange Program (SLOSEP).

- 20.** Presentation of results of Workforce Housing Survey by members of Building Design & Construction Cluster. All Districts.

Mr. Brad Brechwald and Mr. Lenny Grant – Economic Vitality Corporation (EVC) Building Design & Construction (BD&C) cluster Co-Chairpersons: provide a powerpoint presentation.

Chairperson Gibson: opens the floor to public comment.

Mr. Mike Brown – Coalition of Labor, Agriculture, and Business (COLAB); Mr. Bill Pelfrey; Mr. Mike Manchak – EVC; Mr. Kris Vardas – former EVC Chairperson; and Ms. Laura Mordaunt speak.

The Board receives and files the presentation by members of the Building Design & Construction (BD&C) Cluster regarding the Workforce Housing Survey commissioned by the BD&C and the Economic

Vitality Corporation (EVC).

21. Request to authorize processing of amendments to the Land Use Ordinance and the Coastal Zone Land Use Ordinance regarding workforce housing. All Districts.

Chairperson Gibson: opens the floor to public comment.

Ms. Elsa Dawson; Mr. Gary Kirkland; Mr. Mike Brown – Coalition of Labor, Agriculture, and Business (COLAB); Ms. Jeannette Watson; Ms. Laura Mordaunt; and Mr. Bill Pelfrey: speak.

The Board authorizes staff to process amendments to the Land Use Ordinance and the Coastal Zone Land Use Ordinance regarding workforce housing.

Motion by: Caren Ray
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)	x			
Mecham, Frank R. (Vice Chairperson)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Presentations:

22. Submittal of resolution commending Nancy Orton upon her retirement after 24 years with the County of San Luis Obispo Department of Planning and Building. All Districts.

Ms. Kami Griffin - Department of Planning and Building Assistant Director and Ms. Nancy Orton: speak.

RESOLUTION NO. 2014-177, a resolution commending Nancy Orton upon her retirement after 24 years of service with the County of San Luis Obispo, adopted.

Motion by: Frank R. Mecham
Second by: Caren Ray

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)	x			
Mecham, Frank R. (Vice Chairperson)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

23. Submittal of a resolution recognizing July 13-19, 2014 as Probation Services Week in San Luis Obispo County. All Districts.

Chief Jim Salio: speaks.

Chairperson Gibson: opens the floor to public comment.

Ms. Rene Kohlman: speaks.

RESOLUTION NO. 2014-178, a resolution recognizing July 13-19, 2014 as Probation Services Week, adopted.

Motion by: Frank R. Mecham
Second by: Caren Ray

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)	x			

Mecham, Frank R. (Vice Chairperson)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Added Item - Hearings:

29. Hearing, continued from July 8, 2014, to consider an appeal of the Templeton Area A Road Improvement Fee by Barbara Condon. District 1.

(This item was added to the agenda, per the addendum to the agenda. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72-hour noticing requirement.)

Chairperson Gibson: opens the floor to public comment without response and outlines why he will not support the motion.

The Board adjusts the Road Improvement Fee to \$6,960 and waives the appeal fee of \$513. Furthermore, RESOLUTION NO. 2014-179, a resolution for adjusting the Templeton Road Improvement fee for permit PMT2013-00626, adopted.

Motion by: Frank R. Mecham
Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)		x		
Mecham, Frank R. (Vice Chairperson)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Board Business:

24. Consideration of a request by the Community Action Partnership of San Luis Obispo (CAPSLO) for a \$500,000 contribution towards the development and construction of a new homeless services center at 40 Prado Road, and if approved, authorize a corresponding budget adjustment in the amount of \$500,000 from FC 267- General Government Building Replacement to FC 290- Community Development as a set aside for the future grant award. District 3.

(Supervisor Hill: steps down from this item and is now absent.)

Ms. Liz Steinberg - CAPSLO Chief Executive Officer (CEO) and Mr. Jim Famalette – CAPSLO Chief Operating Officer: speak.

Chairperson Gibson: opens the floor to public comment.

Ms. Fran Coughlin – CAPSLO Board President; Ms. Jill Bolster-White – Transitions Mental Health Association Executive Director; Mr. Ed Valentine – Homeless Foundation of San Luis Obispo County Board Member; Mr. Bill Thoma; Mr. Jerry Rioux – Housing Trust Fund; Mr. Jim Grant – Homeless Foundation Board Member; Ms. Charlene Rosales – San Luis Obispo Chamber of Commerce; and Mr. Dominic Tartaglia – San Luis Obispo Downtown Association Executive Director: speak.

Chairperson Gibson: suggests directing staff to add a 4th condition of approval for an operational plan that provides sufficient detail to ensure this moves forward successfully, with Mr. Buckshi – County Administrative Officer responding.

The Board: 1) approves the request by Community Action Partnership of San Luis Obispo (CAPSLO) for a \$500,000 contribution towards the development and construction of a new homeless services center at 40 Prado Road in San Luis Obispo; and 2) authorizes a budget adjustment in the amount of \$500,000 from FC 267- General Government Building Replacement to FC 290- Community Development as a set aside for the future grant award, and directs staff to develop terms and conditions for the funding for future Board approval, with the direction stated by Chairperson Gibson.

Motion by: Debbie Arnold
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)	x			
Mecham, Frank R. (Vice Chairperson)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Chairperson Gibson: tables Item No. 25 following Item No. 26.

Hearings:

26. Hearing to consider a resolution authorizing the addition of delinquent service charges for County Service Areas 16 (Shandon) and 23 (Santa Margarita), to the 2014-15 Property Tax Bills. Districts 1 and 5.

Chairperson Gibson: opens the floor to public comment without response.

(Supervisor Hill is now present.)

RESOLUTION NO. 2014-180, a resolution verifying delinquent service charges on County Service Areas 16 and 23 (Shandon and Santa Margarita) – water service, adopted. Further, the Clerk is directed to file a copy of the approved resolution with the Auditor/Controller/Tax Collector/Treasurer (ACTT) prior to August 10, 2014, adopted.

Motion by: Frank R. Mecham
Second by: Caren Ray

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)	x			
Mecham, Frank R. (Vice Chairperson)	x			
Hill, Adam (Board Member)			x	
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Board Business:

25. Request to approve and accept the construction documents for the final design of the new terminal at the San Luis Obispo County Regional Airport. All Districts.

(This item is amended, per the addendum to the agenda, by attaching the construction documents which are being Clerks Filed. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72-hour noticing requirement.)

Chairperson Hill: opens the floor to public comment without response.

The Board approves and accepts the construction documents for the final design of a new passenger terminal at the San Luis Obispo County Regional Airport.

Motion by: Adam Hill
Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)	x			
Mecham, Frank R. (Vice Chairperson)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Hearings:

27. Hearing to consider an appeal by PB Coastview LLC of the Subdivision Review Board’s approval of a Lot Line Adjustment/Coastal Development Permit, exempt from CEQA, (COAL 14-0026/SUB2013-00055). District 3.

Mr. David Marshall – representing PB Coastview, LLC: speaks.

Chairperson Gibson: opens the floor to public comment without response.

RESOLUTION NO. 2014-181, a resolution upholding the appeal of PB Coastview LLC, modifying the decision of the Subdivision Review Board, and conditionally approving the application of PB Coastview LLC, a California Limited Liability Company, for Lot Line Adjustment/Coastal Development Permit (COAL 14-0026/SUB2013-00055), adopted.

Motion by: Adam Hill
Second by: Caren Ray

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)	x			
Mecham, Frank R. (Vice Chairperson)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

28. Hearing to consider resolutions regarding a request by Coastal Christian School to waive building permit and public facility fees for seventeen modular buildings, totaling \$70,094. District 3.

Mr. Michael Conger – Department of Planning and Building: amends the Public Facilities Fees resolution in section 2, by correcting the reference to the findings of fact to read “Exhibit A” not “Attachment A”.

Mr. John Mack - Accurate Architecture & Construction (AAC) Architect (handout) and Mr. Dave Rehnberg – Coastal Christian School Principal: speak.

Chairperson Gibson: opens the floor to public comment without response.

On motion by Supervisor Adam Hill, seconded by Caren Ray, to waive half of the Building Permit Fees; to tentatively approve a partial waiver of the Public Facility Fees, excluding fees charged for Fire and Sheriff Facilities; and to direct staff to bring back a resolution for final action on Tuesday, July 22, 2014, is discussed.

Chairperson Gibson: suggests two separate motions, with the motion maker and the second agreeing.

RESOLUTION NO. 2014-182, a resolution to partially approve waiver of construction permit processing fees for the modular units associated with the interim campus for Coastal Christian School, in the amount of \$14,226.16, adopted.

Motion by: Adam Hill
Second by: Caren Ray

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)	x			
Mecham, Frank R. (Vice Chairperson)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

The Board tentatively approves a partial waiver of the Public Facility Fees, excluding fees charged for Fire and Sheriff Facilities, with the understanding that they will be credited through the future build out of the campus; and directs staff to bring back a resolution for final action on Tuesday, July 22, 2014.

Motion by: Adam Hill
Second by: Caren Ray

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)	x			
Mecham, Frank R. (Vice Chairperson)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)		x		

Supervisor Arnold: addresses concerns regarding the public facilities fees, with Mr. Matt Janssen – Department of Public Works responding.

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, July 15, 2014, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: July 18, 2014